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ATTORNEYS FOR DESERT CAPITAL REIT, INC.

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

Debtor.

Case No. BK-S-06-10725 LBR

Case No. BK-S-06-10726 LBR

Case No. BK-S-06-10727 LBR

Case No. BK-S-06-10728 LBR

Case No. BK-S-06-10729 LBR

In re:

USA CAPITAL REALTY ADVISORS, LLC,
Debtor.

Chapter 11

Jointly Administered Under

Case No. BK-S-06-10725 LBR

In re:

US CAPITAL DIVERSIFIED TRUST DEED
FUND, LLC,

Debtor.

**MOTION FOR ORDER SHORTENING
TIME FOR HEARING ON
EMERGENCY MOTION OF DESERT
CAPITAL REIT, INC. FOR ORDER
DETERMINING STATUS AS A
QUALIFIED BIDDER UNDER BID
PROCEDURES**

In re:

USA CAPITAL FIRST TRUST DEED
FUND, LLC,

Debtor.

In re:

USA SECURITIES, LLC,

Debtor.

Hearing Date:

Hearing Time:

Est. Time:

Affects:

☒ All Debtors

- ☐ USA Commercial Mortgage Company
- ☐ USA Securities, LLC
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA First Trust Deed Fund, LLC

DESERT CAPITAL REIT, INC. ("Desert Capital"), by and through its counsel, moves for an order shortening time for the hearing on the Emergency Motion of Desert Capital Reit, Inc. For Order Determining Status as a Qualified Bidder under Bid Procedures based upon the ground that the auction in this case is scheduled for December 7, 2006.

This Motion is supported by the attached Declaration of Regina McConnell, Esq. and the separately filed Emergency Motion of Desert Capital REIT, Inc. for Order Determining Status as a Qualified Bidder Under Bid Procedures with along with attached exhibits, and the separately filed Attorney Information Sheet.

WHEREFORE, Desert Capital REIT, Inc. prays for an order shortening time for the hearing on its Emergency Motion of Desert Capital Reit, Inc. For Order Determining Status as a Qualified Bidder under Bid Procedures at the Court's first available date and time.

DATED this 6th day of December, 2006.

/s/ Regina M. McConnell Esq.
Regina M. McConnell, Esq.
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ATTORNEYS FOR DESERT CAPITAL REIT, INC.

**DECLARATION OF REGINA M. MCCONNELL, ESQ. IN SUPPORT OF
EMERGENCY MOTION OF DESERT CAPITAL REIT, INC. FOR ORDER
DETERMINING STATUS AS A QUALIFIED BIDDER UNDER BID PROCEDURES**

I, REGINA M. MCCONNELL, ESQ., declare as follows:

1. That I am an attorney with the law firm of KRAVITZ, SCHNITZER, SLOANE, JOHNSON & EBERHARDY, CHTD. and admitted to practice law in Nevada.
2. That KRAVITZ, SCHNITZER, SLOANE, JOHNSON & EBERHARDY, CHTD. is local counsel for LOCKE LIDDELL & SAPP LLP, attorneys for DESERT CAPITAL REIT, INC. which is the bidder for the Assets to be auctioned in the above entitled case.
3. I submit that the Court should hear the Emergency Motion Determining Status as a Qualified Bidder Under Bid Procedures prior to the auction, which is currently scheduled for 9:30 a.m. on December 7, 2006.

I declare under penalty of perjury that the foregoing is true and correct.

DATED this 6th day of December, 2006

Regina M. McConnell
REGINA M. MCCONNELL, ESQ.

SUBSCRIBED AND SWORN TO before me,

on this 6 day of December, 2006.

Dawn Whitbeck
Notary Public, State of Nevada

